

higher degree of national energy independence, then shame on us but, more important, shame on the majority leader of the Senate, who has chosen to take away from the authorizing committee the authority to craft a bill and bring it to the floor, if the majority leader himself does not honor the commitment he has now made to us, that he will divine—define and maybe divine—a balanced energy policy and bring it to the floor for a vote. That is an obligation that the Senate of the United States should deal with before we adjourn or before we recess this first session of this Congress.

I recognize the importance of this issue, as do many of our colleagues. I am phenomenally disappointed in the form of leadership that says we cannot let our committees work in this instance because this is not something new, as I said. We have been at the business of trying to write a bill for 3½ years. We have held 25 or 30 hearings on it. It is not a new issue, but it is a timely, critical issue to our country. I hope the statements of the majority leader represent the clear intention of bringing the bill to the floor within the next several weeks, that we can deal with it and move it off to conference and have a national energy policy on our President's desk by close of business.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, can you tell me the parliamentary situation as it exists presently?

The PRESIDING OFFICER. The Senate is on the motion to proceed to S. 1447, under cloture.

Mr. MCCAIN. How much time remains on the 30 hours of postcloture debate of which there has been none that I have seen?

The PRESIDING OFFICER. Time will expire at 4:57 this afternoon.

Mr. MCCAIN. If there is no one on the floor to engage in postcloture debate?

The PRESIDING OFFICER. The Chair will put the question on the motion.

AVIATION SECURITY

Mr. MCCAIN. Mr. President, we are now engaged in so-called postcloture debate of 30 hours. I have not paid total attention to what is going on on the floor of the Senate, but clearly there has been no debate on postcloture on the Aviation Security Act. This is rapidly turning into a farce. We need to act. We need to act on aviation security. If there are differences of opinion, such as those held by the Senator from Idaho about federalization, let's have debates and votes.

If there is consideration of non-germane amendments, then let's have those debated and voted on as well. The chairman of the committee, Senator

HOLLINGS, and I have agreed to oppose all nongermane amendments. But for us to sit here for 30 hours in so-called postcloture debate—yesterday there was a near tragedy because of a deranged individual who broke into a cockpit of an airplane nearly causing another catastrophe. Part of this legislation, S. 1477, requires the Department of Transportation to take steps to strengthen cockpit doors.

There is another case in my own home State where some individual obviously smuggled in a weapon which caused the shutdown of the Phoenix airport for some 10 hours. The list goes on.

I don't agree with the statement that was made by the administration that there was a 100 percent chance of retaliation because of our military actions in Afghanistan. I don't agree with that statement, although I will admit that I don't have the knowledge of the members of the administration who made that statement. But here we are now going into our second week without addressing the issue of aviation security.

No, I don't agree with the Senator from Idaho that an energy bill is of the same emergency as the Aviation Security Act right now. No rational observer that I know of would agree with that statement. The fact is we need to act. We don't have to wait until 4:57 this afternoon. We should be debating, amending, and passing this legislation before we go out of session this weekend. I am embarrassed that both sides of the aisle for reasons less than national security are not agreeing to take up and pass this legislation.

I don't think the American people, who have been very pleased with our performance up until now, are very pleased. In fact, they are very displeased with our failure to take up this legislation in a normal parliamentary fashion—debate, vote, and give the American people what they don't have today; that is, the sense that a lot of Americans don't have today, that they can get on an airliner with comparative safety and security.

I urge my colleagues to stop what we have been doing for the last 2 weeks, get on with moving this legislation, and perform our duties for the American people, for the men and women right now who are in harm's way performing their duties for the American people. It seems to me it wouldn't be a great deal to ask us to move on this legislation.

Mr. REID. Mr. President, will the Senator yield?

Mr. MCCAIN. I am happy to yield to the distinguished majority whip.

Mr. REID. Mr. President, every time I hear the Senator from Arizona speaking, I think of pilots taking off from aircraft carriers and taking off from military bases around the country and, as we know, special forces—I believe I know—certainly nothing confidential

has been told to me; I figured it out on my own. We have special operations people there doing all kinds of things. It is extremely dangerous. There is no one in the Senate who has more personal information about war than the Senator from Arizona. I personally appreciate, speaking for the people of the State of Nevada, his passion for this legislation.

There is no perfect legislation. The legislation before us is imperfect. The Senator from Arizona and Senator HOLLINGS worked and came up with what they thought could pass this Senate.

Will the Senator agree that this legislation—no matter how anyone feels about it—should at least be able to get consideration?

There was a motion to invoke cloture which was filed 1 week ago. As I said earlier today, we may disagree with this legislation, but let's get it here and get it completed. The people of Nevada and the people of the rest of this country want this passed.

I say this to my friend from Arizona. There are important things we should do, but shouldn't airport security be one of them?

Mr. MCCAIN. I think so. It is obvious. I understand the day before yesterday on Wall Street there was a meeting between the Speaker of the House, the Democrat leader in the House, 20 business and economic and labor leaders, and Alan Greenspan. Their message was, pass the aviation security bill so confidence will be restored on the part of the American people so we can have an economic recovery. On other side of the Capitol, they refuse to take up the issue. On this side of the Capitol, for nearly 2 weeks we have failed to have one moment of debate on this issue, and no amendment has been proposed. I just find that, frankly, incomprehensible.

I am not really renowned for my patience, but I believe I have shown a lot of patience. I believe that Senator HOLLINGS, the distinguished chairman of the committee, has also gone through these machinations trying to work out agreements. I must have had 100 meetings on this issue. We had the idea of taking up the antiterrorism bill first and then moving to this legislation. We thought everybody had an agreement. Then there was one Member on the other side who insisted on amendments. We thought we could get it up with perhaps an agreement that all Members would vote against non-germane amendments. That doesn't seem to have worked.

I have literally exhausted almost every option. Our meetings with the White House have been fruitless. I have not been around here—in fact, the Senator from Nevada and I have been around here the same number of years. I have never had the White House cancel two meetings in 1 day with the

chairman and ranking member of the committees—two in 1 day.

Here we are telling the American people that we are working together and we are dedicated to the proposition that we will take whatever measures are necessary in a bipartisan fashion to assure their security and safety, both home and overseas. There is no expert who doesn't believe we need to act on the issue of airport and airline security. Here we are nearing the end of our second week mired in such a situation on which we have made no progress.

Mr. REID. Mr. President, may I ask one more question of my friend?

Mr. MCCAIN. I would be glad to yield to the Senator.

Mr. REID. To indicate the patience and integrity of the Senator from Arizona, he could have moved forward on this legislation. But because of his patience—and most of us wouldn't want to do anything that somebody might object to—he acknowledged when he came to this floor that he could have moved forward on this legislation. I know the Senator from Arizona stands for what is good about this country, having devoted a large part of his life in a prison camp for American citizens. If we can't hear him speaking, then we can't hear anybody.

We have to move forward on this legislation. As I have said privately to the Senator from Arizona—and I say now publicly—what he is saying is absolutely full of veracity. One only needs to look at who is saying it to understand that.

Mr. MCCAIN. Mr. President, I would be glad to yield to the Senator from Idaho.

Mr. CRAIG. Mr. President, the Senator from Arizona knows that he and I are not too far apart on the issue on which he is speaking. I had hoped we would come to the floor this week and deal with two critical national issues: Airport security and antiterrorism. I think we were very close to being ready to do that. I had hoped we could deal with them cleanly and up front—airport security and terrorism issues.

Generally, I have supported the Senator from Arizona on this issue, and continue to do so, and will work with him. I did not come to this Chamber today to suggest a national energy policy go in front of this. I suggest we do airport security, and we ought to be doing it right now in this Chamber. The Senator ought to be down there at the lead desk on this issue carrying the debate on this side, but he is not being allowed to do so. And it is not his fault; that is very clear.

But what I am suggesting is that in the next month that this Congress will be in session, instead of sitting here marking a clock, with the lights on, the staff engaged, and nothing happening, we ought to also be debating and voting up or down on a national energy policy. I believe it is of high

priority. Is it as high as airport security in the current blend of things? No, it isn't.

I agree with the Senator from Arizona. We have to get the confidence built back in the American people on airport activity and security on airplanes, and get them flying now for the long-term economy, but also into the holiday season. It is critical for our airlines and their economic stability, no question about it. We need to give our Attorney General, and others in law enforcement, greater tools to track the terrorists, to track the criminals. And that is ready to go now.

I do not understand why we were not able to switch over and double track. The Senator from Arizona agreed to that. But that is not the call of the minority; that is the call of the majority. They have not let us do that or we could be dealing with both of those critical bills—get at least one of them done this week. The clock is now running out. Having been able to do both of them—as we should have done—there would be ample time to do a national energy policy bill, to engage for 2 or 3 days on the floor, if need be, in the debate of that issue, because I have to think when you scratch the surface of all of these, you get to the bottom line: Airplanes do not fly without fuel; people do not get to the airports without it; our ships that are at sea at the moment, and our pilots who are flying those aircraft off those decks, work with a huge chunk of energy underneath them. We all know that. That is my point.

I agree with the Senator from Arizona. It is not a matter of shoving in to the front; it is a matter of this Senate being capable of dealing with all three of these issues in a timely fashion. That was the point I wanted to make to the Senator from Arizona.

Mr. MCCAIN. I thank the Senator from Idaho.

I appreciate his passion on this very important issue to our national security. But since it appears that everybody is in agreement that we need to move forward on this legislation—and there has been no debate that I know of on the specific issue of airport security in the postcloture mode, and I see no reason we should waste the entire afternoon in a postcloture parliamentary situation and yet not debating the issue—I tell our leadership on both sides of the aisle, I intend to come, after lunch, in the early afternoon, and move to proceed to S. 1447. That way, we will not have wasted another entire day. I hope there will be no objection at that time.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, just so everyone understands, my friend from Idaho talks about the need to move forward on airport security. Let us move

forward. There is no one preventing us from moving forward on this side of the aisle. We want to move forward. We have been trying, for a week, to get to this bill, but we are having to jump over all kinds of hurdles.

We invoked cloture with a vote of 97–0 yesterday. And they—the minority—have said, OK, we are going to use the whole 30 hours postcloture. We have been stymied. We have tried to move to other things. They will not let us.

Last week, we tried to move to a matter dealing with appropriations. We have Agriculture appropriations we tried to get to. No thanks. We tried to get to foreign operations. No thanks. Why? Because of some unrelated issue. That unrelated issue is that we are not moving enough judges for them.

The people at home in Nebraska or in Nevada, I bet they are not coming to you, I say to the Presiding Officer, asking: How many judges is the Senate moving this week? They are concerned about the ability to fly out of Omaha to Las Vegas and back. That is what they are concerned about.

We want to move forward on airport security. We are not stopping anyone from moving forward to airport security. We should have been on that last Wednesday. Here it is a week later, and we are still not on it. We are postcloture on the motion to proceed to airport security.

What are the problems with airport security? There are some people who believe we should get rid of minimum-wage people checking bags, and doing other things, to make these airplanes safe; that there should be some standards; that it should not go to the lowest bidder, as now happens; that we should add, in addition to the hundreds of thousands of other Federal employees we have, about 28,000 employees who would have the stamp of approval of the Department of Energy or the Justice Department—it really does not matter who it is—one Federal agency that oversees them. That is one problem on which they will not let us move forward.

Maybe they can say that is wrong. Have a debate in this Chamber for an hour or so, vote up or down on it, and determine whether they should be federalized or not. That is how things work around here. But they will not let us move to it. They will not let us have a debate on whether they should be federalized or not.

Another issue they are concerned about is whether we should have a vote on Amtrak safety and security—not putting rubber tires on Amtrak trains or putting monitors in all the trains so that you can listen to nice music, no; just so that when you travel on an Amtrak train, you can be safe. Let's have a debate on that: Yes, you want it; no, you don't. They will not even let us talk about it.

The other issue is whether the employees who were displaced as a result

of the terrorist acts are entitled to extended unemployment benefits. That does not sound too outrageous to me. And if it is, let's debate it and vote it up or down.

So that is the big hangup on airport security, those three issues.

Everyone would feel better if we passed this legislation. It would determine how airports would be handled. There would be a Federal rule that everyone could see, not a hit-or-miss proposition.

My friend from Idaho is the second person to come to this Chamber and talk about the need to do energy legislation. And the words were: And shame on TOM DASCHLE if it doesn't pass. That is a good reversal role. Senator DASCHLE is here every day trying to move legislation. Although they do not like to acknowledge it, he is the majority leader of the Senate, and he feels an obligation to do some of the things our country requires, such as pass the 13 annual appropriations bills. He has this wild idea—Senator DASCHLE—that you should pass the 13 appropriations bills. They will not let us move to those bills. We have five that have not passed.

They are not going to let us move. Why? Because you are not moving enough circuit judges. We have listed all the people we have in the pipeline who will move, hearings will be held, the votes will be taken here. But that is not good enough. Senator LEAHY has worked weekends on terrorism, helped with airport security, and many other things prior to this legislation. He set times for hearings for judges. But that is not good enough.

So we do not need lectures in this Chamber about what TOM DASCHLE isn't doing. He is doing everything humanly possible to move the agenda of the Senate forward, and we are being prevented from doing so.

We believe that energy policy is important, critically important. I believe we should become less dependent on fossil fuel. That should be part of an energy bill. We need to develop exploration in this country. We need to become less dependent on foreign oil. There is no question about that. We need to move quickly into more solar, more wind, and more geothermal, alternative energy sources.

I believe we need to have an energy policy in this country. Senator DASCHLE believes that. And if we are able to get these emergency matters out of the way, we are going to move to another vitally important thing. That is energy policy.

We always hear these speeches about the need for ANWR. There was a hearing last week during which one of the experts was asked a question that the person who asked it probably wishes he hadn't. The question was: How long would it take to start bringing oil out of ANWR? The answer: About 10 years.

We know the quantity of oil is very limited. Somehow in their minds, this drilling in the pristine wilderness of Alaska is going to solve all the world's problems, when we know if we pumped all the oil that is there now, it would be a 6-month supply for the United States.

There are a number of other problems we have with ANWR. Just last week, a person with a rifle decided to use the pipeline as a target. He shot some holes in the pipeline. By the time they figured out what was happening, 250,000 gallons of oil had dumped out on the Alaskan tundra. That is a very long pipeline. It goes hundreds of miles. I am not sure we need more pipeline in this pristine wilderness.

My friend, the distinguished senior Senator from Idaho, stated that this situation in Alaska would solve lots of the problems of the world. It wouldn't solve many problems at all. We know there are lots of energy problems in the world today. They will not be solved by this situation in Alaska.

There are so many things we need to do, and we need to get to that legislation. We need help from the minority to get to that legislation. They are not letting us move forward on legislation that has to be done.

The first conference they have allowed us to do on an appropriations bill is going to take place this afternoon. I am fortunate enough to be on that conference. At 2:30 p.m. today, there will be a Senate-House conference on appropriations for Interior. I hope we do that. That will be the first of 13 appropriations bills we have been able to finish. But they won't let us move on the five that haven't even passed the Senate.

Using words such as "shame on TOM DASCHLE" isn't senatorial. It is an unfortunate choice of words. Senator DASCHLE understands the importance. I have been in meetings with him just this week, and with Senator BINGAMAN, talking about how important it is to move this legislation. We need to move the legislation. We just need a little help to do it. We have not received the help.

The PRESIDING OFFICER (Ms. STABENOW). The Senator from North Dakota.

Mr. DORGAN. Madam President, I listened with some interest to my colleague from Nevada and previously my colleagues from Arizona and Idaho in their presentations. I compliment my friend from Nevada. Let me also say how much I admire the Senator from Arizona who came to the floor about 20 minutes ago and asked the question: Why are we not moving? Why is the Senate not doing its work on the issue of aviation security? He, of course, knew the answer and answered it himself. We are held up by people who believe somehow that this is not an emergency, this is not a priority, and that

there are other issues more important. So they hold the Senate up.

It has been that way now for nearly 2 weeks. We don't vote, we have no debate on the floor, and now we have a colleague today who comes to the Chamber and decides the problem is the majority leader, Senator DASCHLE. Nothing could be further from the truth.

The problem is we have a handful of people in the Senate who are intent on serving as human brake pads to stop this place dead in its tracks. They have succeeded. While the country is worried about the emergency situation that exists as a result of the September 11 terrorist attacks, as a result of an economy that clearly has serious problems, the Senate stands at parade rest. Why? Because a handful of people in the Senate have decided we should not move forward on the issue of aviation security.

It is the easiest thing in the world to take the negative side of anything. All of us understand that. This bill, authored by Senator HOLLINGS and Senator MCCAIN—and I am proud to be a cosponsor of it from the Commerce Committee—deals with aviation security, a whole range of issues: The creation of a large cadre of armed sky marshals to put in American commercial airliners; the development of perimeter security at America's airports; the hardening of cockpits on commercial airliners; and the change in the method of screening luggage and people at airports. All of these things are important. There is much more in this legislation as well. That is the positive side of what we are trying to do on an emergency basis.

There are some who have held it up, and continue to hold it up even now. I am reminded of Mark Twain, who I have mentioned before. When asked one day to get involved in a debate, he said: Of course, as long as I can take the negative side.

They said: Well, we have not told you what the subject is.

He said: It doesn't matter. It doesn't take any preparation to take the negative side.

That is the case in the Congress as well. It takes no preparation to come here and be opposed to almost everything. It takes no skill to be opposed to everything. We have a few folks in my hometown like that. I grew up in a county of 3,400 people. We have several of them who have opposed everything, all along the way, all the time. This Senate is a lot like my hometown, regrettably. The problem is in the Senate a couple of determined people can stop things.

In this country we face real emergencies at this point. Our economy is in serious trouble. Commercial airline service is integral to an economy and its recovery. Going into September 11 and the tragic acts of terror committed

against this country, we had a very soft economy. The economy was in trouble even then. One of the leading economic indicators of the economy is airline travel because it is one of the first places people and businesses cut back.

All of our major airline carriers were hemorrhaging in red ink on September 10 going into the September 11 terrorist attacks. On September 11, the Federal Government ordered all commercial aircraft—in fact, all aircraft in this country—to land immediately, and they were grounded. That industry was forced to stay on the ground. There were no airplanes in the sky anywhere.

So this is an industry already hemorrhaging in red ink that was forced to suspend all operations. Then the FAA, under certain circumstances, allowed the restoration of commercial airline flights. What the airlines are discovering is that there are people in this country who have canceled events, conferences, trips, and vacations because there is concern about getting back on an airplane.

I understand that concern. I flew last weekend to North Dakota, and I had also flown the weekend before to North Dakota. But I understand that people are concerned about getting back on an airplane. They and every American saw over and over and over and over again those images of the 767 commercial airliners being flown into the World Trade Center Towers. That is an image most people will not soon forget. So people were concerned and leery about going back to commercial air travel.

This Congress, therefore, must act if it is going to try to restore some health to this economy and give a jump start back to commercial air travel. To do so, this Congress has to put together legislation dealing with aviation security and airline security. That is what we have tried to do. Senator HOLLINGS and Senator MCCAIN, Senator KERRY, myself, and others, have worked on a piece of legislation that makes good sense. We brought it to the floor understanding that this is an emergency, that this is urgent legislation that needs to get done. And guess what. This Senate is brought to parade rest. Nobody is doing anything and nothing happening because we have a couple of people who say: We won't let anything else continue.

You know, we have some people who are crabby about some amendments. My theory is, in a situation like this, if you have some amendments you don't like, stand up and oppose them. If you have some you want to offer, stand up and propose them. Let the Senate vote. Let the Senate make a decision. Do you have good ideas or not? If you don't, tough luck. But don't hold up the Senate and hold up this issue of an urgent need to pass an aviation security bill just because you are a little cranky and have stayed cranky for a

couple of weeks. You put the country at risk by doing that.

Now, my friend from Idaho is in the Chamber. He and I have worked closely together. I admire his work. I fundamentally disagree with what he did this morning. He is upset with something Senator DASCHLE has done with respect to an energy bill. Frankly, that energy bill, as Senator MCCAIN said, is separate and distinct from the aviation security bill. We are going to do an energy bill, and we ought to, but the energy bill is going to come together from several sources in the Senate. It is going to come to the floor and we are going to have an opportunity to offer amendments and discuss it. I don't disagree with the notion that central to this country's security is an energy policy. We haven't had an energy policy, under Democratic or Republican administrations, for 30 or 40 years that has meant very much to this country. We need to produce more and find more oil and natural gas. We need to conserve more and, yes, we need to find renewables and a limitless supply of energy, to expand our supply. We need to do all of that, and we need to do it soon.

Let me just say this with respect to security: Security, it seems to me, starts at this moment on the floor of the Senate with passing an aviation security bill. That is where it starts. We will work on a piece of legislation dealing with energy policy. We should do that and that also is urgent. But that ought not hold up an aviation security bill. It should not hold this up. We have a responsibility at this point not to go back to business as usual. Business as usual in the Senate is to have two or three or four or five people hold up the work of the entire Senate. That didn't mean very much under most circumstances because we didn't have a situation that was urgent—not with most pieces of legislation. But if you don't think post-September 11 and the challenges we have to the American economy and the challenges we have in air travel and with respect to providing security for this country at home and abroad—if you don't believe that is an urgent situation, somehow you have slept through the last month.

This country faces an urgent need to do a series of things—important things—that will strengthen its future. Central to those at this moment is a piece of legislation dealing with aviation security. It is past the time—long past the time—when this Senate should have been debating that and voting on it. It simply makes no sense to have a couple of people holding up the Senate because they got out of bed on the wrong side and have a permanent case of ill temper on things about which they are concerned. As a result, they hold up the rest of the Senate.

Mr. CRAIG. Will the Senator yield?

Mr. DORGAN. Of course, I will yield to the Senator.

Mr. CRAIG. If Senator DORGAN isn't cranky, and I am not cranky, wherein lies the problem? He and I agree on the importance of airport security. We ought to be debating it right now, right here in this Chamber. Are there some disagreements? Yes, there are some disagreements. Are they big? To some, they are. I don't happen to disagree with all of them. The Senate is working its will, and the leader from the other side who is speaking on the floor right now is doing what he ought to be doing. But he also knows how the Senate works.

At this very moment, we are very close to coming to the floor now with an agreement that cleans up and allows us to focus on airport security. I hope it is sooner rather than later.

The American people deserve an airport security bill. But what I was saying on the floor a few moments ago—quoting from the chairman of the Energy Committee on which the Senator serves—he no longer can craft a bill. He has been disallowed by your leadership from doing so. He is going to, therefore, submit a bill to the majority leader and the majority leader is going to bring it to the floor for our consideration.

What I said on the floor—and I will repeat it—is this: Please do that. Bring that bill to the floor, and sooner rather than later. I will say that it is no longer the responsibility of the chairman of the committee. I serve on that committee along with the Senator from North Dakota. We know that.

The majority leader has spoken. The burden is on the majority leader to get an energy bill to the floor. I believe it is third in the line of actions that should be taken up on the floor. Airport security ought to be done right now. I hope we can do it this week and also do the antiterrorist bill this week. The Senator and I are in total agreement on that. I hope we sort this out sooner rather than later. But once those two bills are done, my guess is that I will be on the floor every day saying: Majority Leader DASCHLE, where is your energy bill? Where is your energy bill? You have taken the authority away from the committee. If you are going to produce a bill, do it, and we will debate it. Agree to get it to the floor with a couple of amendments on either side, or with no amendments, and then get it to conference, get the conferees appointed so we can get a bill on the President's desk. I believe and the public believes if we get into a shooting war in the Middle East and we sever our ties to our dependency on Middle East oil, we send this economy into another tailspin that should be avoidable, but it is not. I thank the Senator.

Mr. DORGAN. I understand the point the Senator made. I say this: The burden that might exist on anybody in this Senate—and especially a majority

leader of the Senate—is a burden to get the work of the Senate done. We can't do the aviation security bill because we have a couple of people holding it up in the Senate. Why? Because they don't agree with some things. They have decided aviation security isn't urgent for this country. They could not be more wrong. The burden of the Senate is to pass appropriations bills. We have appropriations bills—in fact, we have more than a half dozen—I believe nine of them—some of which have yet to come to the floor of the Senate to be passed. In fact, very few appropriations bills have been completed at all.

The appropriation subcommittee that I chair had the conferees appointed this week from the House on a bill they passed in June. Think of that. Months and months of stalling, not even appointing conferees to an appropriations bill.

The point is that the majority leader can't bring an appropriations bill to the floor of the Senate. You want to know why? These are bills that were supposed to have been done by October 1—through the House and the Senate. They are not done and he can't bring them to the floor because we have the same few people who object, object, object, and then say to me that the majority leader has a burden.

I will tell you what the burden is. The burden is these objectors who sit on our shoulders all day long and won't let this Senate do its business. We ought to be doing the things that are important at this point and saying to the American people that the Senate understands this situation is urgent in America, that security is an urgent situation, that the threat of terrorism is something we should respond to with great urgency.

Our economy is in an urgent situation. We need to work together to do something about that. But to have this Senate essentially stop in its tracks for 2 weeks is almost unforgivable. I don't handle well people telling me what the burden of the majority leader is. The burden of the majority leader is to get this Senate to get its business done. We have four, five people thumbing their suspenders and saying: No, I object to everything. Well, take your suspenders outside the Chamber, in my judgment, and let's do the work the American people want us to do.

Aviation security is job No. 1. Senator MCCAIN talked about the need to get to this bill. He will be here at 2 o'clock. When he comes to the floor, I am going to be here as well. When he asks unanimous consent to go to the bill, I want to support him. It is unforgivable that hour after hour and day after day this Senate is not doing the business it is intended to do. People talk about the burden of the majority leader. The majority leader has too large a burden, in my judgment, with respect to a few folks who want to hold

the Senate up. We know what we ought to do. Let's do it. For those who don't agree—and there are three or four who have deep disagreement with the issue of screening at airports, the screening of luggage—the screening of luggage. If you disagree with that, then offer an amendment. If you win, good for you. You will not, in my judgment, but if you do, fine. Why hold up the Senate and prevent us from passing a bill that is so urgent? It does not make any sense to me.

This really is business as usual, regrettably, at a time when the last thing America needs is business as usual from the Senate. They need a Senate that is engaged and that has its priorities straight and in which everybody steps back a bit, takes a deep breath, and says: We are part of the same team. There is now just us and them. There are the terrorists and the rest of us. The rest of us are trying to do what we can to respond to these heinous acts of mass murder. That is our responsibility.

I remember a story about a person who opened a small retail business on a small Main Street. He had a large glass fish tank installed in the front window for his grand opening. He put out a huge sign that said: This fish tank contains 63 invisible Peruvian man-eating fish. Crowds gathered on Main Street to look at this fish tank. Of course, there was nothing in it, just a sign about invisible fish.

We could perhaps have a sign in the Senate, not about fish, but about invisibility. We are doing nothing. In a time of great national concern, in a time of national emergency, in a time when there are urgent requirements and needs for us to do the right thing, this Senate is doing nothing.

It is not the majority leader's fault. The majority leader has a plan. He has an aviation security bill. He has a national security bill. It is not his fault. It is the fault of two, three, four, or five Members of the Senate who decided for their own reasons they want to shut this place down for a while. What an awful signal to send to the rest of the world.

Mr. REID. Will the Senator yield for a question?

Mr. DORGAN. I will be happy to yield.

Mr. REID. Our friend from Idaho stated the airport security bill is No. 1, terrorism is No. 2, and energy is No. 3. I say to my friend from North Dakota in the form of a question, doesn't the Senator believe we have an obligation to do what is required, and that is pass appropriations bills?

Mr. DORGAN. In response, I say, absolutely. In fact, our colleague from Idaho is on the Appropriations Committee. The first thing you have to do is appropriate the money for the agencies—the FBI, the CIA, the National Security Agency, all the law enforce-

ment functions—and then all of the other functions of the Federal Government. We have to pass the appropriations bills.

We are now operating under a continuing appropriations bill because we in Congress did not get our work done by October 1. It is not as if we are not trying. Senator BYRD and Senator STEVENS, the chairman and ranking member of the Appropriations Committee, are pushing very hard, and we cannot get the appropriations bills to the floor of the Senate.

Do my colleagues know why? Because there is an objection to a motion to proceed to an appropriations bill.

Mr. REID. Does the Senator know the reason for the objections supposedly?

Mr. DORGAN. The objections have nothing to do with appropriations. The objections, as I understand it—there are several different objections to different bills around here; it is one of those pick-your-flavor objections to people who professionally object. As I understand, they do not want appropriations bills to move forward because they are concerned about nominations.

Mr. REID. About judges.

Mr. DORGAN. Yes, nominations of judges. My understanding—the Senator from Nevada might correct me—my understanding is it has taken a substantial amount of time for the administration to move judges to the Congress for consideration. I believe something like 25 or 29 of them came just the first part of August. They are now going through the hearing process.

With respect to judges, as far as I am concerned—and I hope every one of my colleagues feels the same way—let's get judges moving; let's get all the appointments and confirmations moving. As far as I am concerned, the same burden rests on myself. If I object to someone, bring them out and I will vote against them.

By and large, I think most of these nominations are pretty good nominations, but I do not think anybody is trying to hold these up. What has happened is it has taken a great deal of time to get names here, and now the Judiciary Committee is sifting through them to get the hearings in place. The fact we are not even allowed to go to appropriations bills has nothing to do with appropriations; it has to do with some other issue.

Mr. REID. May I ask another question?

Mr. DORGAN. Sure.

Mr. REID. On the Senator's trips back home—and I know he was home this past weekend—has anybody come up and asked the Senator about how the judges were coming in Washington?

Mr. DORGAN. No, I say in response to Senator REID, most people are concerned at this moment about the Senate moving very quickly with some urgency to deal with situations such as

aviation security, to deal with the issues of national security and international security responding to terrorism, the antiterrorism bill. Most people are concerned about that.

Obviously, the lingering effects of the September 11 terrorist acts will probably last forever, and it means people are very concerned about this country's response to those specific threats.

Mr. REID. I say to my friend, our friend from Idaho listed 1, 2, 3, his priorities. In listing the priorities of the people from the State of North Dakota, where does the Senator think our moving judges through this system would list in ranking? Does the Senator think they would be in the top 100?

Mr. DORGAN. Probably the top 100. Moving judges is just something we should do. It is not a case that we are not moving judges. That is, in my judgment, a false charge.

If we are talking about what are the priorities, what is the urgency today on Wednesday, first, as Senator MCCAIN said, the urgency is an aviation security bill; second is an antiterrorism bill that has been worked on and largely agreed to; and third, we ought to finish the appropriations bills. We have a responsibility to do that.

The Senator from Idaho is not wrong about energy being a significant issue. It is an issue. I agree with that. I talked today about the commercial airlines and their component part of this economy and their important part of this economy. So, too, is energy. We will not have any economy without energy.

I do not disagree with the notion that energy is a significant issue. I would not necessarily say Senator DASCHLE has the burden of making it third. We have to do the appropriations bills before we do the energy bill. If we can get rid of a few of the objections, we can move these things quickly. There is no reason we should not pass an aviation security bill and send it to the President by tomorrow night. We can pass it today and resolve our differences with the House and move it to the President. There is no reason we cannot do that for this country. We should do that.

The antiterrorism bill I think is about completed. There is no reason we cannot do that as well. What a great signal to the American people.

The interesting thing is—and the Senator from Nevada asked me about what I heard back home—what I heard all weekend in North Dakota was how pleased people were that finally the pettiness seems to be gone from the politics in this country, and good riddance. Finally, people are working together. Finally, it is not so much that you are a Democrat or a Republican. It is not that there is a my side and a your side, it is just that there is an our side. There is only one side in this

country, and that is the side that all of us choose to stand on in the fight against terrorism. There is only one side, and it is our side.

That is why I hope that at 2 o'clock this afternoon when Senator MCCAIN comes to the floor with this bipartisan bill on aviation security, that this is something we can clear, move to the floor, offer amendments, and get it done for our side.

Again, it is not Republicans and Democrats. Senator MCCAIN is a Republican. Senator HOLLINGS is a Democrat. They have worked together, I have worked with them and others to put this bill together. This bill represents a response by our side, the American response to an emergency, to an urgent situation. I hope we can avoid the kind of difficulty we have been seeing in recent days.

I ask those who put us in this position of being, as I said, at parade rest day after day when there are so many urgent things to do to rethink that. I can think of several things that make me a bit upset about this body and probably object to one thing or another. I do not intend to do that.

I had an amendment on a bill in the subcommittee I chair. When I brought my subcommittee bill to the floor, I had an amendment that was very important to me and very controversial. I was fully intending to push that amendment and have a big debate and a vote on it. Then September 11 happened, and I brought the bill to the floor after September 11 and said: I do not think it is in the country's interest for me to push this very controversial amendment.

Although it means a lot to me and it is very important to me, I am not going to do it because I do not think that is the way we ought to send signals to the American people about who we are and what we are doing at this point.

I ask others, especially those who have held up the work of the Senate for now about 2 weeks on this issue, think along the same lines and see if we cannot come to some understanding of the urgency of passing an aviation security bill.

We on the Commerce Committee spent a lot of time working on these issues. The leadership of both Senator HOLLINGS and Senator MCCAIN has produced excellent legislation, legislation that will provide real security to commercial airlines and to those who fly in this country, and I hope we are able to do that soon.

I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE VALUE OF THE FAMILY FARM

Mr. DORGAN. Madam President, I actually came to this Chamber to talk about something else, which I want to do now for about 3 or 4 minutes. But, I was inspired by my colleague from Arizona, Senator MCCAIN, who was talking about the urgency of the aviation security bill and wanted to comment first about that.

I want to speak for a moment about another priority. When I was talking with the Senator from Idaho about priorities, let me describe another one that ranks right near the top, in my judgment. As soon as we finish the legislation dealing with aviation security, the antiterrorism bill, and the appropriations bills, we need in this Congress to turn to the farm bill. If one does not come from farm country, they may not understand the need for a farm bill, but let me describe the urgency of this Congress passing a decent bill that gives family farmers a chance to make a living.

We have been living with a farm bill called the Freedom to Farm Act, which has been a terrible failure for family farmers. It literally has pulled the rug out from under family farmers in our country.

Last Friday, the House of Representatives passed a new farm bill, and good for them. The bill that was passed by the House of Representatives is better than the current farm bill that is now in place. We can make it even better. It shortchanges wheat and barley, for example, on loan rates, and there are some things that I would change.

I say this: The bill the House of Representatives passed is better than the current farm bill. Now the Senate has an obligation to take up a farm bill and pass it before we finish our work this year. We must do that. We do not have the choice. If we do not pass a new farm bill this year and accept the challenge with the House having passed its bill, we will shortchange American farmers in a significant way. There are many families hanging on by their financial fingertips wondering whether they are going to be around to plant the crop next spring. I hope this Congress will say to them that family farmers matter to this country, they strengthen this country, and we are going to give them a farm bill that provides countercyclical help when prices collapse so they can stay around and be part of our country's future.

Now why is that important? Two reasons. One reason is one I have talked about a long time in this Chamber, and that is from both an economic and social standpoint, family farms are important to this country's character and its future. Family values have always rolled from family farms to small towns to big cities, nurturing and refreshing the value system in our country. Having a network of family farm